

Message Text

CONFIDENTIAL

PAGE 01 BUENOS 07580 191338Z

43

ACTION ARA-10

INFO OCT-01 ISO-00 CIAE-00 DODE-00 PM-04 H-02 INR-07 L-03

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FM AMEMBASSY BUENOS AIRES

TO SECSTATE WASHDC 3480

C O N F I D E N T I A L BUENOS AIRES 7580

E.O. 11652: GDS

TAGS: PINT, AR

SUBJECT: EXECUTIVE OBJECTS TO LEGISLATIVE INVESTIGATING COMMITTEE

REF: BA-7412

1. ON EVENING OF NOV 17 THE EXECUTIVE BRANCH PRESENTED A LENGTHY MEMORANDUM TO CHAMBER PRES SANCHEZ TORANZO OUTLINING ITS OBJECTIVES TO A CONGRESSIONAL INVESTIGATING COMMITTEE THAT WOULD LOOK INTO ALLEGED MISDEEDS AT SOCIAL WELFARE MINISTRY.

2. THE DOCUMENT SIGNED BY MRS. PERON AND ENTIRE CABINET, WHILE CITING DOCTRINE OF SEPARATION OF POWER AND MAKING REFERENCE TO CONSTITUTIONAL PRECEDENTS SET BY PATRON OF RADICALES HIPOLITO YRIGROYEN, IS ESSENTIALLY AN ATTEMPT TO PORTRAY PROPOSED INVESTIGATION AS EFFORT BY ENEMIES OF CONSTITUTIONAL GOVERNMENT TO USE CHARGES OF CORRUPTION AS VEHICLE TO OVERTURN CONSTITUTIONAL SYSTE. THE DOCUMENT NOTES THAT AT TIME PERON WAS OVERTHROWN IN 1955 THE "PRETEXT" OF THE VARIOUS FACTIONS WHICH OUSTED HIM WAS THE RESTORATION OF "LIBERTY". IN THE PRESENT CASE, MRS. PERON'S GOVERNMENT SEES ITS ENEMIES USING MORALITY AND ETHICS AND THE ALLEGED LACK THEREOF IN THE GOVT AS A PRETEXT TO OUST HER. THOUGH DOCUMENT WAS DELIVERED SHORTLY BEFORE NEWS-PAPERS WENT TO PRESS AND THUS PRECLUDED EXTENSIVE REACTION, MOST OF THOSE WHO WERE ABLE TO MAKE THEIR VIEWS KNOWN REACTED NEGATIVELY TO THE PROPOSAL.

CONFIDENTIAL

CONFIDENTIAL

PAGE 02 BUENOS 07580 191338Z

3. UCR BLOC LEADER TROCCOLI, WHO IS HIS PARTY'S MEMBER ON THE INVESTIGATING COMMITTEE, NOTED THAT APART FROM LEGAL ARGUMENT, GOVERNMENT HAD CHOSEN TO "COMPLICATE" INVESTIGATION AND "PROTECT IRREGULARITIES" BY SOME OF ITS "NOTORIOUS" OFFICIALS. THE ISSUE, TROCCOLI ADDED, REMAINED THE GOVT'S COMMITMENT TO ETHICAL AND MORAL PRINCIPLE WHICH IT SHOULD PLACE ABOVE ITS LEGAL QUIBBLES.

4. SEVERAL FREJULI MEMBERS WHO COMMENTED ON CASE DID SO IN NEGATIVE TERMS. JESUS PORTO, WHO GAINED NOTORIETY BY MAKING ORIGINAL CHARGES AGAINST LOPEZ REGA, NOTED THAT HE HAD VOTED IN FAVOR OF SETTING UP THE COMMITTEE DESPITE CONSTITUTIONAL DOUBTS BECAUSE OF THE NECESSITY TO CLEANSE THE GOVT OF CORRUPTION. SEVERAL OTHER FREJULI MEMBERS SAW IN GOVT'S EFFORTS TO QUASH INVESTIGATION THE MALEVOLENT HAND OF LOPEZ REGA AND HIS REMAINING SUPPORTERS IN THE GOVT, AS ONE PERONIST CONGRESSMAN PUT IT: "THIS POLICY REVEALS THAT ONE SECTOR OF PERONISM WHICH DID NOT END WITH LOPEZ REGA AND IS NOW HEADED BY JULIO GONZALEZ, AND HIS ACOLYTES CONTINUE TO LEAD THE GOVT INTO POSITIONS OF DOUBTFUL VALIDITY".

5. IN GOVT'S SUBMITTED MEMO MRS. PERON MADE CLEAR THAT INVESTIGATION OF CRUZADA JUSTICIALISTA, A PRIVATE BODY, WAS TOTALLY WITHIN COMPETENCE OF CONGRESS TO INVESTIGATE. WHILE UCR PICKED UP ON THIS POINT QUICKLY AND URGED THAT INVESTIGATION BE PUSHED VIGOROUSLY, IT SEEMS LIKELY THAT MUDDYING EFFECT OF MEMORANDUM WILL PRECLUDE COMMITTEE MOVING FORWARD WITH DISPATCH. INDEED BERNARDO MONTENEGRO, THE PERONIST CONGRESSMAN WHO WAS SELECTED TO REPLACE THE CONTROVERSIAL LABAKE (SEE REFTTEL), ANNOUNCED LAST NIGHT THAT HE WAS RESIGNING FROM THE COMMITTEE BECAUSE OF ITS "UNCONSTITUTIONAL" CHARACTER.

6. WHILE REACTION NOT YET EXTENSIVE, MOST PROBABLE THAT MRS. PERON'S LATEST EFFORTS TO THWART INVESTIGATIONS WILL HAVE NEGATIVE IMPACT ON PUBLIC OPINION AND FURTHER THROW INTO QUESTION HER OWN DEGREE OF CULPABILITY IN CORRUPTION CHARGES. HOWEVER, SHE AND HER ADVISORS MAY HAVE CONCLUDED THAT THIS WAS ACCEPTABLE PRICE TO PAY TO FURTHER ITS TEMPORARY DELAY OF INVESTIGATION OF SOCIAL WELFARE SCANDAL. AS SENIOR RADICAL TOLD

CONFIDENTIAL

PAGE 03 BUENOS 07580 191338Z

EMBOFF BY GETTING AT CRUZADA THEY WILL BE ATTACKING THE "FOUNTAINHEAD OF CORRUPTION"--I.E. MRS. PERON. MONTLLOR

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